IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and
THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 858 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 11/11/2004 in WP NO : 20752 OF 2004 on the file of the High Court.)

Between:

Depot Manager, APSRTC, Bus Depot, Midhani Depot, Hyderabad.

..... APPELLANT

AND

Mohd. Osman Khan, S/o Ahmed Khan,

.....RESPONDENT

Counsel for the Appellant: MR.V.T.M.PRASAD

Counsel for the Respondent : MR.P.SRIDHAR RAO

The Court made the following :

JUDGMENT: (Per the Hon'ble Smt Justice T.Meena Kumari)

Challenge in this appeal is to the correctness of the order of the learned Single Judge rendered in W.P.No.20752 of 2004 dated 11.11.2004.

The factual background leading to the dispute, in essence, is as follows:

The respondent had joined in the appellant-Corporation in 1986 as a driver. A charge was framed against him on the pretext that he collected Rs.2/- from a passenger, but failed to issue ticket to him. Further more, without initiating any enquiry, the appellants-Corporation placed him under suspension through the proceedings dated 2.11.2004. Feeling aggrieved, he filed the writ petition.

After scrutinizing the entire material on record and the order impugned, the learned single Judge has observed that the irregularity attributed against the petitioner is not such a grave one, quashed the impugned order.

Heard the learned counsel appearing on either side.

Perused the material on record and the order impugned. It is conspicuously clear that the charge leveled against the petitioner is not of such a grave in nature. Besides that, the appellant-Corporation without initiating any enquiry, issued the impugned proceedings. In this view of the matter, we have no

hesitation to hold that the learned single is justified in quashing the order impugned in the writ petition. Therefore, we see no merits to entertain this appeal and the same is liable to be dismissed.

Resultantly, the writ appeal is dismissed.

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T.MEENA KUMARI, J

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P.LAKSHMANA REDDY, J

15.07.2005

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To

1. Depot Manager, APSRTC, Bus Depot, Midhani Depot, Hyderabad.

2.2 CD copies